

**Summary of Administrative Review Board Proceedings for ISN 976**

*The Administrative Review Board was called to order.*

*The Detainee entered the proceedings.*

*The Presiding Officer announced the convening authority and purpose of the Administrative Review Board proceedings.*

*The Designated Military Officer (DMO) was sworn.*

*The Board Reporter, Translator, Assisting Military Officer (AMO) and Board Members were sworn.*

*The Presiding Officer asked the Detainee if he wishes to make a statement under oath. (Muslim oath offered).*

*The Detainee accepted taking the (Muslim) oath.*

*The Presiding Officer read the hearing instructions to the Detainee and confirmed that he understood.*

*The Assisting Military Officer presented the Enemy Combatant Notification form, Exhibit EC-A, to the Administrative Review Board.*

*The Assisting Military Officer presented the Enemy Combatant Election Form, Exhibit EC-B, to the Administrative Review Board.*

*The Assisting Military Officer read the AMO Comments from the Enemy Combatant Election Form, Exhibit EC-B.*

Assisting Military Officer: The detainee's ARB interview was conducted on 15 June 2006. After reviewing the ARB's purpose and procedures, the Pashtu translated Unclassified Summary of Evidence was read to the detainee. When asked if he wanted to attend the ARB, present a written or oral statement, or have the AMO speak on his behalf, the detainee initially declined but later changed his mind, stating he would attend the ARB and that he did not want the AMO to present a written statement on his behalf. The detainee was cooperative and attentive during the interview. A copy of both the English and Pashtu translated Unclassified Summary of Evidence were provided to the detainee, who accepted the Pashtu version.

*The Designated Military Officer presented the Unclassified Summary of Evidence, Exhibit DMO-1, (and DMO-2 to DMO-X, other unclass information) to the Administrative Review Board.*

*The Designated Military Officer stated that a copy of these exhibits had been previously distributed to the Assisting Military Officer and Detainee.*

*The Presiding Officer noted from the Enemy Combatant Election Form that the detainee wanted to respond to each item of information from the Unclassified Summary as it was presented.*

*The Designated Military Officer gave a brief description of the contents of the Unclassified Summary of Evidence, Exhibit DMO-1, to the Administrative Review Board.*

Designated Military Officer: (3.a.1) The detainee became more interested in learning about Islam after attending meetings with the Jamat Tabligh Group at the Takhtatabika Mosque in Khowst, Afghanistan. He eventually began going on 40-day outings to Jamat Tabligh Centers and ultimately went on a four month outing to the Riwind Center of Tabligh in Lahore, Pakistan. The Riwind Center is the headquarters of the Jamat Tabligh.

Detainee: *(through translator)* When I joined the missionary I was trying to learn the Islamic rules and regulations, how to pray and how to wash yourself, how to eat the whole procedure of Islam. Before that I did not know how to do things, because of the religion. Even when I got through with the missionary or Tabligh I still could not pray or do things right. Is learning a religion a crime? If this is a crime to learn our religion, then you do not have a war with the Taliban or Al Qaida, you have a war with Islam. When I went to the missionary in Tabligh all I wanted to do is learn my religion. I wanted to learn how to read the Koran and learn how to wash before praying, this is what I wanted to learn. Is that a crime?

Designated Military Officer: (3.a.2) Jamat Tabligh is a Pakistan based Islamic missionary organization used as a cover to mask travel and activities of terrorists, including members of al Qaida.

Detainee: *(through translator)* The center of Tabligh is in Pakistan. As far as I know they don't have any connection with terrorism. I spent four months with them and I have not heard any word from them if they have other connections with other groups. If you have any information about that place, which is a very famous place, why do you not shut that down? Why do you not arrest them? It is a very famous place. You can get all the information in one day over there; it is not a secret place. Why don't you go there and obtain information and if you find something wrong then capture them. I am not going to defend them. I have not seen any terrorist activities, but if you think you have seen it then why don't you go and get them.

Designated Military Officer: (3.a.3) The detainee conducted Islamic Tablighian teachings five years ago in the Yaqubi District of Khowst, Afghanistan.

Detainee: *(through translator)* This word is not correct, it is wrong. I told them in my previous statements I went for three days in the Yaqubi area and I was not teaching, I was learning. I have not learned anything so how can I teach. I told them myself that I was learning and they just wrote it down that I was teaching. This is a bad experience, when someone tells you one thing and they write down another thing.

Designated Military Officer: (3.b) The detainee was taught to shoot the Kalashnikov rifle by his brother.

Detainee: *(through translator)* This is a lie. My brother does not know how to use the machine rifle so how can he teach me to use the rifle, how can he teach me?

Designated Military Officer: (3.c) At the time of capture the detainee was traveling with a known al Qaida bomb maker who the detainee had known for five years.

Detainee: *(through translator)* I was trying to go to Pakistan to bring back merchandise. When I reached Meeramshah and was waiting at the bus station and then I got on the bus at Meeramshah. When I went inside the bus, Karim was already on the bus. He was there after I got on the bus. I didn't know him. Five years before I got captured I went to Yaqubi for the Tabligh or missionary he was there too. Five years ago, we spent three days with him in Tabligh; then he went his way and I went my way. After that I have not seen him or had any connection or association with him. When we accidentally seen each other in the bazaar he went his way and I went my way. This is a custom in our country that when we see somebody that we have not seen in a while and we see them again we just wave. Is that a crime? I did not know him better than that. I do not know him anymore. That was a coincidence that we sat beside each other or that we where on the same bus. I did not want to go with this guy but this is kind of like the mighty god put us together; his power put us on the same bus. The last time I had seen this man was the time of missionary or Tabligh. He told me he was a shop keeper. The time we were together in Tabligh he told me he was a shopkeeper and I know him as a Tabligh and a shop keeper. That is all I know. I am not aware of what he is doing if he is making bombs or who he is. I have not seen him and I am not aware. If you do not believe me or you think that you know me, he is detained here where you can ask him yourself. He is detained here with you. The time of interrogation they asked me how I know him. I know him as a Tabligh and as a shopkeeper. I do not have any further information about this man.

Designated Military Officer: (4.a) At the time of capture the detainee was going to purchase 25 pairs of tires and 20 large batteries. He was captured with \$2,700 United States Dollars and a satellite phone.

Detainee: *(through translator)* Yes this is true. I was buying tires with this money and the telephone was not working properly and I was trying to fix it. I was taking it to a place to fix it.

Designated Military Officer: (4.b) The detainee stated he and his brother used the satellite phone for the tire and battery business.

Detainee: *(through translator)* Yes, because in Khowst Province there is no electronic small phone, so everyone was using satellite phones. I had received a letter and everyone has small mobile telephones now.

Designated Military Officer: (4.c) The detainee stated he passed the satellite telephone to the person he was traveling with because the detainee believed the Pakistani police would ask for a fine if they saw the satellite telephone and he did not want to pay any fines.

Detainee: *(through translator)* Yes, this is true. When the Pakistanis see any Afgans try to find any excuse to just get money from them. To take something from them. In Pakistan there is a lot of corruption and they take pride. So, that is why I knew if they saw the telephone with me then they would make me give them some money. I didn't want to give them any money. So when I was giving the other guy the other person the telephone they saw it.

***The Designated Military Officer confirmed that he had no further unclassified information and requested a closed session to present classified information relevant to the disposition of the Detainee.***

***The Presiding Officer acknowledged the request.***

***The Presiding Officer opened the Administrative Review Board to the Detainee to present information with the assistance of the Assisting Military Officer.***

***The Presiding Officer had the Assisting Military Officer read the Detainee Comments from the Enemy Combatant Election Form, Exhibit EC-B.***

***Assisting Military Officer stated that the detainee's comments were already provided in response to the information in the unclassified summary of evidence.***

Detainee: *(through translator)* Do you have any questions for me?

Assisting Military Officer: After the responses to the items in the unclassified summary of evidence there are four statements that the detainee made that I would like to read on the record. The detainee was asked if he had any questions or would like to make any statements. The detainee made the following statements:

- This is oppression, being detained for such things as are in the Unclassified Summary of Evidence.
- I have told my story many times.

- I provided 10 names of witnesses at the CSRT and my village name, and I would accept a guilty verdict if any of them say I am guilty.

***The Assisting Military Officer had the following questions:***

The Assisting Military Officer: What would be your plans or goals for the future if you were released?

Detainee: *(through translator)* If I get released I have children, a wife and a mother and father and I will go to live with them. I also want to conduct our goal with my business and provide for my family to include my father and mother. I want to have a suitable and comfortable life.

***The Designated Military Officer had no further questions for the Detainee.***

***Administrative Review Board Member's questions:***

Board Member: When you were on the bus and you saw Karim, did you sit next to him and have a discussion with him?

Detainee: *(through translator)* When they kept calling Banoo, another city. When I climbed the bus he was sitting in the front and the other seats were full so I sat in the number four seat.

Board Member: How many seats away from Karim were you?

Detainee: *(through translator)* Almost four rows.

Board Member: You referenced the satellite phone that you were going to have it get worked on. Whose name was the phone in and how was it paid for?

Detainee: *(through translator)* The telephone was working, but the front glass of the telephone was cracked. It was in my name. It was a used phone I bought for 35,000 kaldarr. It was not brand new phone, it was a used phone.

Board Member: You referenced the purchase of tires and batteries. You said you were buying tires and batteries. How much at that time would you have paid for the tires and the batteries and how many were you planning on buying?

Detainee: *(through translator)* When we pay for the merchandise, if I need tires and we do not have anything to sell we write down the name of the missing item, such as if there are no tires to buy and then we leave. Tires and batteries, which are needed a lot in the country then we will bring more of those items. If those items are not needed as much, then we will not bring a lot of them. At the time I was going, I already had a list of what kind of tires and batteries I needed. There are different sizes of tires, small and big tires and different sizes of batteries, small and big batteries. There are some batteries at 800

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and other batteries for 1,500. Some of them are in two tires, 2,800. In Pakistan, prices vary. If the prices are different then we will bring the tractor tire; the front tire of tractors are cheaper than the back tires. The tires on the trailer of the tractor are easier and cheaper. The time that I was there, the front tire of the tractor price was 3,000 or a little bit more. The back tire of the tractor was between 15,000 to 15,500.

Board Member: Did you feel that you would have enough money for the purchases?

Detainee: *(through translator)* When we go for merchandise and know the price, then we take that amount to cover that merchandise. When we go for merchandise at the big shop and if we find other merchandise that we would like buy, we borrow the merchandise and pay later. We know each other and we trust each so they let us pay later. That is what is established over there. When you buy merchandise and they know you for awhile then you can take the merchandise and pay later.

Board Member: You referenced the merchandise that you were going to purchase. What plans if any and could you detail those plans on how you were going to bring them back to your shops?

Detainee: *(through translator)* When we buy merchandise some other shopkeeper will buy another and then the shopkeeper will put them all together and transport it to Meeramshah. Everybody's supplies will be transported as one big load big truck load to be taken to Khowst. Then the merchandise comes to the station and the station people deliver the merchandise to our shops. Everyone has their own name on the merchandise. The rate is already known. So big tire big money small tires small money.

Board Member: Could you go into a little more detail on what your plans are if we recommend your release? Could you tell us a little bit more about where you might live and where you would work and what type of life style you would carry on?

Detainee: *(through translator)* When God relieves me first of all, I would thank God. I will go home to my children. When I left, my children were very small. I received their pictures and now they are bigger. It is possible my parents will be older. First of all, I want to spend a few months at home. I will spend this time in jail or detention where your brain does not work so well. I will try to recover from being detained so I will take a long break. After spending time with my family and when my brain will not be so down, I will be more ready to work and will be more comfortable. I received a letter that mentioned our village had built a school and I would like to take my children. Then I want to go back to my old business.

Presiding Officer: This is about the satellite phone that you gave to Karim. I understand that you had not seen Karim for five years on the bus. Why would you give an expensive satellite phone to someone you have not seen in five years?

Detainee: *(through translator)* When we were on the bus the police came inside and said to get out or we will force you to get out. The police only asked some of us to get out to be searched. They did not search all of us and when the soldier came inside and said to look in the back. I did not know what would happen to me if they found the telephone on me. I had to get off the bus and Karim was to stay on the bus; he was the closest person to me so I gave him the phone.

Presiding Officer: Did you think that Karim in some way would not be searched or not have to pay a fine if he had a satellite phone?

Detainee: *(through translator)* The soldier got on the bus and he looked around and he did not tell him to get off the bus. So when they come and told us to get off the bus, I knew he was already safe so I gave him the phone. Karim had already been checked, so he was considered safe and that is why I gave him the phone.

***The Presiding Officer read the post-Administrative Review Board instructions to the Detainee and adjourned the open session of the Administrative Review Board.***

***The Presiding Officer opened the classified portion of the session.***

***The Presiding Officer adjourned the classified portion of the session and the Administrative Review Board was closed for deliberation and voting.***

**AUTHENTICATION**

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.

